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January 8, 2018

VIA ECF

The Honorable Anne Y. Shields
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

**Re: *Gathmann-Landini v. lululemon usa inc.*,
Case No.: 2:15-cv-06867 (JMA)(AYS)**

Dear Judge Shields:

This firm represents defendant lululemon usa inc. (“Defendant”) in the above-referenced action. We write to respectfully request a one-week extension of their time to respond to Rebecca Gathmann-Landini’s (“Plaintiff”) initial discovery demands, currently due January 8, 2017 (ECF No. 48). Counsel for Plaintiff has consented to this request provided that Plaintiff also be provided an additional week to serve and file her reply in further support of her motion for conditional certification (“Motion”), and that the other dates in the discovery schedule be extended for one week, to which Defendant has no objection. Accordingly, the proposed revised schedule would be as follows:

- Plaintiff’s reply in further support of her Motion will be due by January 19, 2018.
- Phase 1 discovery (*i.e.*, class and collective discovery) shall be completed by May 4, 2018, while Phase 2 (*i.e.*, merits discovery) shall begin as described below.
- By January 15, 2018, the parties will respond to the initial discovery demands of the other party, served on December 6, 2017 (the “Discovery Demands”), and make initial associated document productions.
- By February 2, 2018, the parties will meet and confer regarding any purported discovery deficiencies relating to the Discovery Demands and the number and identity of witnesses for Phase 1 discovery.
- By February 15, 2018, either party may submit a letter to the Court seeking to compel discovery and/or for a protective order in connection with the Discovery Demands or the number or identity of the other party’s proposed deponents.



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- Phase 1 depositions shall be completed on or before May 4, 2018.
- By May 18, 2018, the parties shall submit a joint letter notifying the Court (i) if Plaintiff intends to move for class certification and/or (ii) if Defendant intends to move to decertify any FLSA collective (if such has been certified), and provide an associated briefing schedule.
- Phase 2 discovery shall be completed within four (4) months of the Court's decision on any motion for class certification and/or decertification of the FLSA collective or, if neither such motion is made, by no later than September 7, 2018.

This is the parties' first request for such an extension.

We respectfully ask that the Court approve the foregoing proposed discovery plan. We thank the Court of its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Garrett D. Kennedy', written over the typed name.

Garrett D. Kennedy, Esq.

cc: Kara S. Miller, Esq. (counsel for Plaintiff)

SO ORDERED:

The Honorable Anne Y. Shields